

AFFIDAVIT TO AMEND A BIRTH RECORD

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What form do I need to amend a birth record?

To amend a birth record, you must complete an *Affidavit to Amend a Record*, VS 24(S). Submit the completed VS 24(S) form to the Office of Vital Records (OVR), P.O. Box 730241, Sacramento, CA 94244-0241, along with any applicable fees.

What is the fee to amend a birth record?

There is no cost to amend a record within one year of the date of the event. There is, however, a \$15 fee if you would like a certified copy of the amended record. There is a \$20 processing fee to amend a record that was registered more than one year ago, but a certified copy of the amended record is included at no additional charge.

What information can be changed with an amendment?

Amendments are used to correct errors and not to change information on the certificate that would require a court order.

Amendments may be used to:

- Correct spelling errors.
- Add information to blank items.
- Correct Items 1A-11 only.

Amendments generally may not be used to:

- Completely change first, middle, or last name of registrant.
- Transpose first and middle name of registrant.
- Add to or delete first, middle, or last name of registrant.
- Change mother's name.
- Translate registrant's name into another language (e.g., Juan to John).
- Change or remove signatures on registered certificates.
- Change or remove informant or certifiers on registered certificates.

I want to change or add the father's name on my child's birth certificate. Can I do this with an amendment?

No. If you would like to change or add the father's name to your child's birth certificate, you will have to do so through an *Adjudication of Facts of Parentage* or *Acknowledgement of Paternity*.

How do I know whether to use an Adjudication of Facts of Parentage form or an Acknowledgement of Paternity form?

An [Adjudication of Facts of Parentage](#) (VS 21) is required:

- When another father is already listed on the original birth certificate.
- When either the biological mother or father refuse to sign an *Acknowledgement of Paternity* (VS 22) form to add the biological father's information to the birth certificate.
- When either parent listed on the original birth certificate has used an alias name on the original birth certificate.

An [Acknowledgement of Paternity](#) (VS 22) is required:

- To add the biological father's name to the birth certificate when none has been listed on the original record. For births occurring after December 31, 1996, a marriage license showing that the mother is married to the child's biological father, or a signed [Declaration of Paternity](#), must accompany the VS 22.

You can access information about these forms on our web site, but we are unable to provide the forms online. However, you can request that the forms be mailed to you by clicking on OVRform@dhs.ca.gov and providing us with your name, mailing address, and the form number(s) you wish to receive.

Are there special instructions for completing the Affidavit to Amend a Record form?

PART I of the form must be completed exactly as the information appears on the original birth certificate.

PART II of the form should be completed as follows:

Item 7: Enter the certificate item number to be corrected, either from the original birth certificate or subsequent amendment. List only one item per line.

Item 8A: Enter the incorrect information that appears on the original birth certificate.

Item 8B: Enter the correct information as it should appear for each item listed in Item 8A.

Item 9: Briefly state the reason for the correction.

Who may sign supporting affidavits to amend a birth record?

Two persons having knowledge of the facts must complete the supporting affidavits. For example, one parent and a relative or friend may sign the affidavits. ***Two signatures are required.***

Are there circumstances where specific persons must sign the affidavits?

Yes. When correcting information that was the result of hospital error, a member of the medical records staff must sign one of the supporting affidavits.

When correcting date, time, or place of birth, or when correcting medical and health information on birth certificates, a supporting affidavit should be signed by the certifying physician, certified nurse midwife, physician's assistant, or certified nurse who attended the birth. The affidavit may also be signed by the hospital administrator of the hospital where the birth occurred or by the hospital administrator's designated representative.

What are the standards of acceptability for an Affidavit to Amend a Birth Record?

Birth certificates are legal documents that must be able to hold up in any court, unchallenged as to their accuracy and reliability. Therefore, the following standards must be met when submitting an *Affidavit to Amend a Birth Record*:

- Every item on the amendment must be completed.
- The amendment can be typed or completed legibly, in durable black ink.
- The amendment form *must be an original*, not a photocopy.
- There can be no ***erasures, whiteouts, or alterations*** to the amendment.

Once I file the amendment, what happens to the original record?

When a birth certificate is amended, the original record remains unchanged, and the amendment becomes page two of a two-page document. Anyone receiving a certified copy after the amendment is applied will receive a copy of both documents.

Health & Safety Code Section 102140 provides: *"No alteration or change in any respect shall be made on any certificate after its acceptance for registration by the local registrar, or on other records made in pursuance of this part, except where supplemental information required for statistical purposes is furnished."*

Health & Safety Code Section 103255 provides: *"The amendment shall be filed with and become a part of the record to which it pertains."*

What are the processing times for amendments?

The current processing time for birth amendments is approximately ten months. Please note that processing times are subject to change without notice.

Where can I get the forms I need?

Because the amendment becomes a part of the actual record, it must be on an original form. Therefore, we are unable to provide the form online. However, you can request that a form be mailed to you by clicking on OVRform@dhs.ca.gov and providing us with your name, mailing address, and the form number you wish to receive. You may also obtain the form from the [County Recorder](#) or the [County Health Department](#) located in any California county. Xeroxed copies of the form are not acceptable.

I still have unanswered questions. Where can I get help?

If you have additional questions, please call (916) 557-6073 and leave your name and telephone number. One of our Amended Records Unit staff will return your call within 48 hours.